

1 GERRY ARMSTRONG
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3 Canada
4 Tel:
gerry@gerryarmstrong.org
In Propria Persona

5
6 SUPERIOR COURT OF CALIFORNIA
7 COUNTY OF MARIN

8
9 CHURCH OF SCIENTOLOGY

10 INTERNATIONAL,

11 Plaintiff,

12 vs.

13 GERALD ARMSTRONG; et al.,

14 Defendants.

) Case No. CV 021632

) REQUEST FOR EXTENSION OF TIME TO
) FILE OPPOSITION TO MOTION FOR
) SUMMARY JUDGMENT; DECLARATION OF
) GERRY ARMSTRONG IN SUPPORT

) Date: February 10, 2004

) Time: 0:900

) Department: L

) Trial date: March 5, 2004

15
16 Defendant Gerry Armstrong hereby requests an extension of one month to file his
17 opposition to Plaintiff Scientology organization's motion for summary judgment now set for hearing on
18 February 10, 2004. This request is based on the facts set forth in the Declaration of Gerry Armstrong
19 that follows.

20 DECLARATION OF GERRY ARMSTRONG

21 I, Gerry Armstrong, declare as follows:

22 1. I am the defendant in this case.

23 2. Plaintiff Scientology organization has filed a summary judgment motion that is set for
24 hearing on February 10, 2004. Because of circumstances beyond my control I have not been able to
25 complete my opposition, and require more time.

26 3. I have not made any earlier request for an extension of time during the litigation of this
27 lawsuit. The case was filed in 2002.
28

1 4. I have recently moved from Germany to Canada, have only today obtained an apartment,
2 have not yet moved in, and do not have a phone. My move from Germany was scheduled before
3 Scientology's filing of its summary judgment motion and could not be changed.

4 5. Obviously I could not tell Scientology's lawyers of my move or movements because the
5 organization is infamous for assaults on people like me it views as "enemies," for causing us trouble in
6 our travels, and for theft of belongings, particularly documents.

7 6. I do not have my computer, printer or documents with me, and will not have them
8 available to me for a least two more weeks. I am preparing this document in a public library, where my
9 computer access is very limited.

10 7. It was impossible because of financial limitations to ship my belongings at another time
11 or by a quicker means. Obviously there is a serious security risk to providing further details.

12 8. I have valid bases for opposing Scientology's summary judgment motion, and my
13 request for an extension is in no way frivolous. There are many triable issues of material fact, any one
14 of which will defeat Scientology's motion.

15 9. This case is actually a violation of 18 U.S.C. §241, Conspiracy Against Rights, and is a
16 component of a massive criminal civil rights conspiracy by the Scientology entities, and consequently
17 must ultimately be dealt with as a U.S. Federal crime. Even without considering at this time the
18 criminal nature of what Scientology is doing in this case, however, the case is extraordinary because the
19 monetary amount involved is astronomical, and the civil rights issues are many and profound.

20 10. Although Scientology seeks in this case \$10,050,000.00 in damages, making this
21 certainly one of Marin County's larger cases monetarily, this amount is but a tiny fraction of the actual
22 monetary amount at stake. As Scientology states in its Separate Statement: "I have violated
23 Scientology's Injunction thousands of times." (Scientology's Separate Statement, 7:5-7) I have, of
24 course, violated the Injunction, and, naturally, the subject "contract," thousands of times, because it
25 would be both impossible and a U.S. Federal crime not to violate the Injunction and the "contract."

26 11. Essentially, what Scientology is seeking is \$50,000 in liquidated damages for every
27 utterance I make of my religious beliefs or my religious experiences concerning Scientology, which,
28 clearly, claims to be a religion. Additionally, Scientology got former Marin County Judge Gary Thomas

1 to agree with its interpretation of the "contract" whereby the \$50,000 per utterance is for each recipient
2 of each utterance of my religious beliefs or my religious experiences concerning Scientology. Thus for
3 every Internet posting I make about my religious beliefs concerning Scientology or my religious
4 experiences in Scientology, there are thousands of recipients. And thus the actual monetary amount
5 involved in this lawsuit is thousands times thousands times \$50,000 per utterance about my religious
6 beliefs or experiences, or between \$5,000,000,000,000.00 and \$15,000,000,000,000.00. This certainly
7 must be then the biggest case monetarily ever in Marin County, and the defense of this case, for money
8 reasons alone, deserves every opportunity. I recognize, of course, that the "liquidated damages"
9 condition of the "contract" has no relation whatsoever to reality, or to actual damages now or at the time
10 of the signing of the "contract," but reality has never stopped Scientology, and that is not what the
11 organization is claiming in this case, and does not have to be considered by this Court in order recognize
12 the huge monetary amount involved and to grant my request for an extension.

13 12. Since my arrival back in Canada, I have been ill, and I am still very ill. I have no
14 medical insurance or a doctor, and no way to provide a doctor's statement. I'm sure, however, that the
15 Court would understand that the stress of being threatened and fair gamed by the multi-billion dollar and
16 extremely malevolent Scientology cult for twenty-two years, the stress of being sued in a California
17 Court for ten million and potentially trillions of dollars, combined with financial destitution and moving
18 to a new country, is enough stress to make anyone sick.

19 20 13. I have asked Scientology's attorney Andrew Wilson by e-mail to agree to an
21 extension, and he wrote: "I do not have a problem with the extension. However, the hearing date would
22 have to be moved, and probably so would the trial date. Judge Duryee would have to approve and I
23 don't think she would be happy about it, as the case is "old." Actually the case was filed in 2002 so is
24 not, given the monstrous monetary amount involved, and the depth and number of the civil rights issues
25 involved, "old." I was the only party who attempted to do any discovery, and it was thwarted by
26 Scientology.
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28

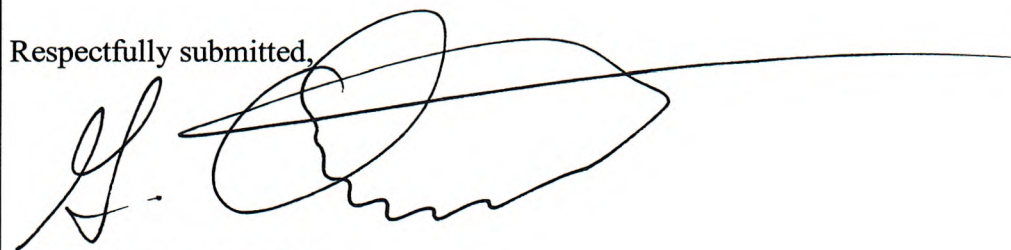
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1 I declare under penalty of perjury pursuant to the laws of the State of California, the
2 United States and Canada that the foregoing is true and correct.

3 Executed this 23rd day of January 2004 at Chilliwack, B.C., Canada.
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9 Gerry Armstrong

10 Respectfully submitted,
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14 GERRY ARMSTRONG

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16 **ORDER**

17 Defendant's Request for Extension to file Opposition to Motion for Summary Judgment is granted.

18 The hearing on the Motion for Summary Judgment is reset for _____ 2004

19
20 Date: _____
21
22
23 _____

24 Judge Lynn Duryee
25
26
27
28

1
2 PROOF OF SERVICE

3 I am over the age of eighteen years and am not a party to the within action. My business
4 address is 1UP-45950 Alexander Avenue, Chilliwack, B.C. V2P 1L5 Canada
5

6 I served the following document:

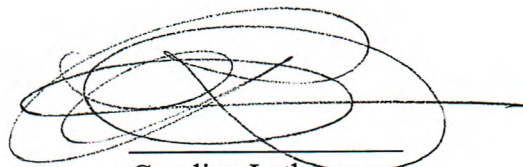
7 **REQUEST FOR EXTENSION OF TIME TO FILE OPPOSITION TO MOTION FOR**
8 **SUMMARY JUDGMENT; DECLARATION OF GERRY ARMSTRONG IN SUPPORT**

9 on the following person on the date set forth below, by Express Mail to the addressee below:

10 Andrew H. Wilson, Esquire
11 WILSON CAMPILONGO LLP
12 475 Gate 5 Road
13 Sausalito, CA 94965
U.S.A.

14 I declare under penalty of perjury under the laws of California, the United States and Canada that the
15 above is true and correct.

16 Executed on January 23, 2004 at Chilliwack, B.C., Canada.
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22 Caroline Letkeman
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